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**Phone: (248) 223-9500****TO:** Mail Stop Amendment,  
Examiner Henry Choe, Tech  
Center 1150  
**FIRM:** USPTO  
**FAX NO.:** (703) 872-9306

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**From:** Justin H. Purcell**Date:** April 4, 2005**Our File No.:** (BOE 0454 PA)**Your Ref. No.:** 10/707,151**Comments:**Attached is response to Office Action dated 3/3/05.**Total Pages (incl. Cover sheet):** 3

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 04 2005

In Re Application of

Steven O. Lane

Group Art Unit: 1150

Serial No.: 10/707,151

Examiner: Choe, Henry

Filed: 11/24/2003

For: Gain And Phase Balanced Amplifier Redundancy System

Attorney Docket No.: BOE 0454 PA

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

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Date: 4-4-05

RESPONSE TO RESTRICTION REQUIREMENT

The enclosed reply is submitted in response to the Office Action dated March 3, 2005.

The Office Action required an election of species and a listing of all claims readable thereon. The Office Action alleged there are three patentably distinct species (I, II, III) in the Application including:

- I. Figure 2
- II. Figure 3
- III. Figure 4.

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The Applicant, however, respectfully believes there is only one patentable invention illustrated in the Figures and described in the Specification.

All three Figures (Species) illustrate an amplifier redundancy system. To start with, Figure 2 illustrates the system having no amplifier failures. (Detailed Description, ¶ [0029].) Further, Figure 3 illustrates the system of Figure 2 having a failed amplifier. (Brief Description of the Drawings, ¶ [0022]; and Detailed Description, ¶ [0034].) In other words, Figure 3 is merely an illustration of Figure 2 in operation. Also, Figure 4 illustrates an embodiment of Figure 2 having two non-moving switches of Figures 2 and 3 removed and replaced with transmission lines. The transmission lines are designed to have the same phase and amplitude performance over the operating frequency range as the switches being replaced. (Detailed Description, ¶ [0038].) Figure 4 illustrates an embodiment including the patentable elements of Figures 2 and 3 of a redundant amplifier used in place of a failed amplifier through control of input and output switches. Therefore, Figure 4 illustrates the primary patentable elements of Figures 2 and 3 and is not patentably distinct therefrom.

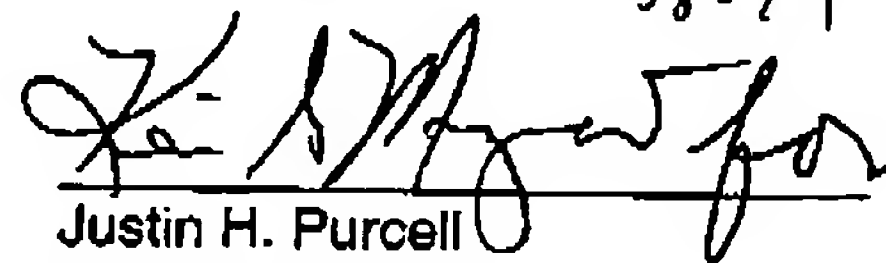
Should the Examiner still believe there are three patentably distinct inventions, the Applicant hereby elects Species I consisting of claims 1-27.

If the Examiner has any further questions, please contact the undersigned. Please charge any additional fees required in the filing of this response to Deposit Account 50-0476.

Respectfully submitted,

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